

1 PAUL T. TRIMMER, ESQ.
Nevada Bar No. 9291
2 LYNNE K MCCHRYSTAL, ESQ.
Nevada Bar No. 14739
3 **JACKSON LEWIS P.C.**
4 300 S. Fourth Street, Suite 900
Las Vegas, Nevada 89101
5 Telephone: (702) 921-2460
Facsimile: (702) 921-2461
6 Email: paul.trimmer@jacksonlewis.com
7 Email: lynne.mcchrystal@jacksonlewis.com

8 *Attorneys for Defendant*
MGM Grand Hotel, LLC

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 DAVID PERSI, an individual,
13
14 Plaintiff,

15 vs.

16 MGM GRAND HOTEL, LLC, a Nevada
Limited Liability Company; DOES I – X,
17 inclusive; and ROE CORPORATIONS I – X,
inclusive,

18 Defendants.

Case No. 2:22-cv-02087-JCM-NJK

**STIPULATION TO EXTEND
DEADLINE FOR DEFENDANT TO
FILE REPLY IN SUPPORT OF
MOTION TO DISMISS COUNTS II
AND IV OF PLAINTIFF'S
COMPLAINT**

(FIRST REQUEST)

19 IT IS HEREBY STIPULATED by and between Defendant MGM GRAND HOTEL, LLC
20 (“Defendant”), by and through its counsel Jackson Lewis P.C, and Plaintiff David Persi (“Plaintiff”) through his counsel Jennings & Fulton, Ltd., that Defendant shall have an extension, up to and
21 including Friday, March 24, 2023, in which to file its Reply in Support of its Motion to Dismiss
22 Counts II and IV of Plaintiff’s Complaint (“Reply”). This Stipulation is submitted and based upon
23 the following:

24
25 This Stipulation is submitted and based upon the following:

- 26 1. Defendant’s Reply was due on March 16, 2023.
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1 2. Defendant's attorney of record, Kyle Hoyt, left employment with Jackson Lewis
2 P.C. on March 15, 2023. A Motion for Leave to withdraw Mr. Hoyt as counsel of record is being
3 filed concurrently herewith.

4 3. In the transition following Mr. Hoyt's departure, the deadlines in this case were not
5 calendared correctly due to a clerical error. The calendaring error has since been corrected for this
6 matter and all other matters where Mr. Hoyt was counsel of record.

7 4. This error is attributable solely to counsel for Defendant and was not caused by any
8 act or omission of Defendant. To bar Defendant from filing its Reply under these circumstances
9 would unfairly prejudice Defendant.

10 5. Once the calendaring error was discovered, undersigned counsel immediately
11 contacted counsel for Plaintiff regarding the error to obtain Plaintiff's position regarding an
12 extension of the deadline for Defendant's Reply. Counsel for Plaintiff generously agreed to this
13 Stipulation given the circumstances described above.

14 6. For the reasons set forth above, the parties stipulate that Defendant may have up to
15 and including March 24, 2023 to file its Reply in Support of its Motion to Dismiss Counts II and
16 IV of Plaintiff's Complaint.

17 7. This is the first request for an extension of time for Defendant to file its Reply in
18 Support of its Motion to Dismiss Counts II and IV of Plaintiff's Complaint.

19 8. This request is made in good faith and not for the purpose of delay.

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9. Nothing in this Stipulation, nor the fact of entering to the same, shall have the effect of or be construed as waiving any claim or defense held by any party hereto.

Dated this 22nd day of March, 2023.

JENNINGS & FULTON, LTD.

JACKSON LEWIS P.C.

/s/ Logan G. Willson

/s/ Lynne K. McChrystal

ADAM R. FULTON, ESQ.

PAUL T. TRIMMER, ESQ.

Nevada Bar No. 11572

Nevada Bar No. 9291

LOGAN G. WILLSON, ESQ.

LYNNE K. MCCHRYSTAL, ESQ.

Nevada Bar No. 14967

Nevada Bar No. 14739

2580 Sorrel Street

300 S. 4th Street, Ste. 900

Las Vegas, Nevada 89146

Las Vegas, Nevada 89101

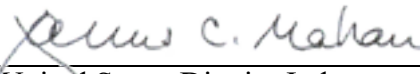
Attorneys for Plaintiff

Attorneys for Defendant

MGM Grand Hotel, LLC

ORDER

IT IS SO ORDERED:


United States District Judge

Dated: March 23, 2023

4884-3023-9064, v. 1